

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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MICHAEL J. SCARINGE,

Petitioner,  
-v-  
9:19-CV-84  
(DNH/ATB)

DARWIN LACLAIR, Superintendent,

Respondent.

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APPEARANCES:

MICHAEL J. SCARINGE  
Petitioner, Pro Se  
c/o M. Graves  
11 Valdepenas Lane  
Clifton Park, NY 12065

HON. LETITIA JAMES  
Attorney General for the State of New York  
Attorney for Respondent  
28 Liberty Street  
New York, NY 10005

DAVID N. HURD  
United States District Judge

OF COUNSEL:

DENNIS A. RAMBAUD, ESQ.  
Ass't Attorney General

**DECISION and ORDER**

Petitioner Michael J. Scaringe brought this petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On October 15, 2019, the Honorable Andrew T. Baxter, United States Magistrate Judge, advised by Report-Recommendation that the petition be denied and dismissed and that no certificate of appealability be issued. Petitioner filed timely

objections to the Report-Recommendation.<sup>1</sup>

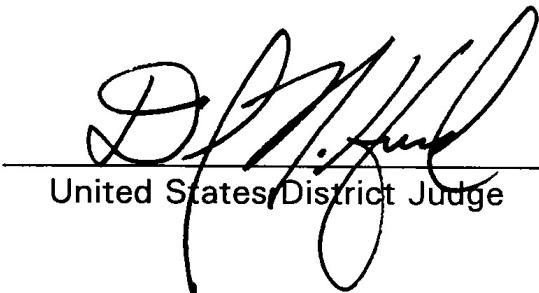
Based upon a de novo review of the Report-Recommendation to which petitioner objected, the Report-Recommendation is adopted in whole. See 28 U.S.C. § 636(b)(1); Rule 10, Rules Governing Section 2254 Cases.

Therefore, it is

ORDERED that

1. The petition for a writ of habeas corpus is DENIED and DISMISSED; and
2. No Certificate of Appealability shall be issued.

IT IS SO ORDERED.



United States District Judge

Dated: January 6, 2020  
Utica, New York.

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<sup>1</sup> It is a bit unclear whether plaintiff's submission is in fact his objection, or whether it indicates his intention to subsequently file an objection. Regardless, there have been no other submissions to date.